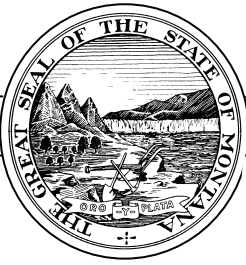


# OFFICE OF THE STATE PUBLIC DEFENDER



BRIAN SCHWEITZER  
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## STATE OF MONTANA

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44 WEST PARK STREET  
BUTTE, MONTANA 59701

February 5, 2009

Representative Ray Hawk  
Chairman, Joint Appropriation Subcommittee  
on Judicial Branch, Law Enforcement, and Justice  
P.O. Box 201711  
Helena, MT 59620-1711

Dear Chairman Hawk:

As per your request I am providing you with information that addresses the Legislative Fiscal Division issue noted on pages D-124 and D-130. We have removed the attorney name and in its place we provide an attorney ID.

So that this information is comparable from year to year we have made the following assumptions:

1. This report includes FTE case openings and closings and carryover cases for fiscal 2007 and 2008.
2. It includes a sample of FTE attorneys that worked for the agency during a significant part of each fiscal year. The time period in this sample includes those FTE with a start date on or before November 1, 2006 and a departure date of no earlier than March 1, 2008.
3. We did not include FY 2009 as this is a partial year.
4. We removed attorneys that carry a caseload but have significant system management duties from this survey (such as the Chief Public Defender, Contract Officer, and Training Coordinator).
5. Except for Region 8 (Bozeman) we summed the case closings for each fiscal year and used an average to account for the fact that closings were inconsistent in other regions due to the timing of bringing the case management system on line during FY 2007. Bozeman had the case management system in place prior to being incorporated into the state agency.

Chairman Hawk  
February 5, 2009  
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We would be pleased to meet with you to discuss this information at your convenience. If I can provide any further information, please call me at 406-496-6084.

Sincerely,

Harry J. Freebourn  
Administrative Director

cc: Pat Gervais, Legislative Fiscal Division  
Brent Doig, Budget Analyst for the Office of Budget and Program Planning  
Tara Veazey, Chair, Montana Public Defender Commission  
Steve Nardi, Vice Chairman, Montana Public Defender Commission  
Randi Hood, Chief Public Defender

OFFICE OF THE STATE PUBLIC DEFENDER  
ATTORNEY CASE GROWTH FY 07 TO 08

Region	Attorney ID	FY 2007			FY 2008			Carry Over	
		<u>Open</u>	<u>Closed</u>	<u>Carry Over</u>	<u>Open</u>	<u>Closed</u>	<u>Carry Over</u>	<u>No. Inc/(Dec)</u>	<u>% Inc /(Dec)</u>
Kalispell	201	242	231	11	316	231	96	85	773%
Kalispell	1464	108	103	6	130	103	33	28	500%
Missoula	2376	224	141	83	122	141	64	(19)	-23%
Bozeman	2566	172	129	43	119	80	82	39	91%
Great Falls	2794	211	154	58	119	154	23	(35)	-60%
Miles City	3022	96	86	11	109	86	34	24	224%
Great Falls	3460	245	157	89	79	157	11	(78)	-88%
Butte	3651	226	152	74	144	152	66	(8)	-11%
Kalispell	4534	164	158	6	235	158	83	77	1283%
Missoula	5006	215	140	75	137	140	72	(3)	-4%
Lewistown	5211	216	192	24	250	192	82	58	242%
Great Falls	6163	243	170	73	201	170	104	31	42%
Missoula	6425	250	205	45	207	205	47	2	4%
Missoula	6746	229	138	92	116	138	70	(22)	-23%
Kalispell	7828	174	98	76	89	98	67	(9)	-12%
Kalispell	7957	125	103	22	91	103	10	(12)	-55%
Missoula	9475	198	143	56	112	143	25	(31)	-55%
Bozeman	9568	221	196	25	166	138	53	28	112%
Kalispell	9989	171	192	(21)	302	192	90	111	539%
Kalispell	10530	205	179	26	255	179	102	76	292%
Great Falls	10721	279	185	94	121	185	30	(64)	-68%
Missoula	10795	201	177	24	231	177	78	54	225%
Missoula	12123	442	317	126	319	317	128	3	2%

OFFICE OF THE STATE PUBLIC DEFENDER  
ATTORNEY CASE GROWTH FY 07 TO 08

Region	Attorney ID	<u>Open</u>	FY 2007		<u>Open</u>	FY 2008		Carry Over	
			<u>Closed</u>	<u>Carry Over</u>		<u>Closed</u>	<u>Carry Over</u>	<u>No. Inc/(Dec)</u>	<u>% Inc /(Dec)</u>
Great Falls	12133	316	211	106	155	211	50	(56)	-53%
Kalispell	12345	120	106	14	141	106	49	35	250%
Kalispell	12347	197	105	93	163	105	151	59	63%
Missoula	13533	208	193	15	236	193	58	43	287%
Great Falls	14348	212	114	98	37	114	21	(77)	-79%
Bozeman	14642	165	157	8	28	32	4	(4)	-50%
Kalispell	14857	78	119	(41)	221	119	61	102	249%
Helena	15628	9	29	(20)	61	29	13	33	167%
Kalispell	15650	215	134	82	143	134	91	10	12%
Bozeman	16168	65	52	13	117	80	50	37	285%
Kalispell	17587	103	63	41	33	63	11	(30)	-73%
Missoula	19633	28	22	6	28	22	12	6	100%
Great Falls	19893	138	140	(2)	245	140	104	106	7033%
Missoula	20049	229	151	78	158	151	85	7	9%
Missoula	20285	32	49	(17)	89	49	23	40	235%
Missoula	20418	183	154	30	147	154	23	(7)	-22%
Kalispell	20675	170	132	38	148	132	54	16	42%
Missoula	22082	391	355	36	399	355	80	44	122%
Missoula	24001	180	128	53	104	128	29	(24)	-45%
Great Falls	24134	300	209	92	218	209	101	10	10%
Helena	26372	354	297	58	248	297	9	(49)	-84%
Great Falls	28675	233	162	72	125	162	35	(37)	-51%
Havre	28676	96	85	12	152	85	79	68	587%

OFFICE OF THE STATE PUBLIC DEFENDER  
ATTORNEY CASE GROWTH FY 07 TO 08

Region	Attorney ID	FY 2007			FY 2008			Carry Over	
		<u>Open</u>	<u>Closed</u>	<u>Carry Over</u>	<u>Open</u>	<u>Closed</u>	<u>Carry Over</u>	<u>No. Inc/(Dec)</u>	<u>% Inc /(Dec)</u>
Butte	30333	206	143	63	189	143	109	46	73%
Butte	33423	49	57	(8)	114	57	50	58	-767%
Missoula	38905	-	20	(20)	64	20	24	44	220%
Missoula	38907	332	285	48	291	285	54	7	14%
Billings	39074	189	220	(31)	259	220	8	39	126%
Billings	39076	114	109	5	125	109	21	16	320%
Bozeman	39619	116	94	22	70	42	50	28	127%
Bozeman	41537	96	58	38	67	58	47	9	24%
Billings	43102	259	169	90	185	169	106	16	18%
Billings	43106	22	283	(261)	627	283	84	345	-132%
Bozeman	57485	112	85	27	98	61	64	37	137%
Totals		10,374	8,425	1,950	9,455	8,145	3,260	1,311	67%